

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
)
v.)
)
BELDAIN DELEON DIAZ)

Case No. 1:17-cr-107-HSM-SKL

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One of the one count Indictment; (2) accept Defendant's plea of guilty to Count One of the Indictment; (3) adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; and (4) find Defendant shall remain in custody until sentencing in this matter [Doc.20]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 20] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count One of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to Count One of the Indictment is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Indictment;
- (4) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **February 5, 2018 at 9:00 a.m. [EASTERN]** before the Honorable Harry S. Mattice, Jr.

SO ORDERED.

ENTER:

/s/ *Harry S. Mattice, Jr.*
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE